




STATE OF DELAWARE

PUBLIC SERVICE COMMISSION
861 SILVER LAKE BLVD.
CANNON BUILDING, SUITE 100
DOVER, DELAWARE 19904

March 11, 2019

MEMORANDUM

TO: The Chairman and Members of the Commission

FROM: Shona Marshall, Public Utility Analyst 

SUBJECT: IN THE MATTER OF THE APPLICATION OF AURORA ENERGY ADVISORS, LLC FOR A CERTIFICATE TO PROVIDE ELECTRIC SUPPLY SERVICES WITHIN THE STATE OF DELAWARE (SUBMITTED OCTOBER 26, 2018; FILED FEBRUARY 11, 2019) - PSC DOCKET No. 18-1158

Background

On October 26, 2018, Aurora Energy Advisors, LLC (“Aurora” or the “Company”) submitted an application (the “Application”) with the Delaware Public Service Commission (the “Commission”) for an Electric Supplier Certificate (“ESC”) to broker electricity in the State of Delaware pursuant to § 1012 of the Electric Utility Restructuring Act of 1999, 26 *Del. C.* §§ 1001 - 1020 (the “Act”) and 26 *Del. Admin. C.* § 3001, the Commission’s Rules for Certification and Regulation of Electric Suppliers (the “Supplier Rules”).¹

Application

The Company’s original filing was submitted on October 26, 2018, but the submitted Application was deficient in meeting the minimum filing requirements (“MFR’s”). In a letter dated November 5, 2018, Commission Staff (“Staff”) requested the Company provide documentation related to its authority to do business in the state of Delaware, resident agent, financial information, and retail experience. The Company responded in a submission dated December 5, 2018, however, the Application remained deficient. Staff submitted a second deficiency letter dated December 11, 2018 and a third deficiency letter dated January 18, 2019. The Company’s response received February 11, 2019 satisfied the requirements of the MFR’s.

¹ Unless otherwise noted, all references to capitalized terms are set forth in the Act and/or the Supplier Rules.

Review and Analysis

Authority to do Business in Delaware

Aurora is a limited liability company formed in the State of New York. The Company provided proof issued by the Delaware Secretary of State that it is legally authorized and qualified to do business in the State of Delaware. The Delaware Certificate of Good Standing was issued July 23, 2018. The Delaware business license was issued January 11, 2019 and is valid from January 1, 2019 through December 31, 2019.

Resident Agent

The Company supplied the contact information for Vcorp Services, LLC located at 1013 Centre Road, Suite 403-B, Wilmington, DE 19805.

Compliance with Regional Requirements

The Company agreed to only work with an entity that complies with PJM's requirements and is a certified electric supplier in Delaware.

Financial, Operational, Managerial and Technical Ability

The Company submitted independently compiled financial statements for the year ended December 31, 2017 as indicia of financial capability under Section 2.2.16.2 of the Supplier Rules. Staff has reviewed the Balance Sheet and the Statement of Operations and Member's Equity. The Company has satisfied the requirements of the Supplier Rules for purposes of brokering electric supply services in the State of Delaware.

The Company anticipates serving large commercial and industrial customers throughout the State of Delaware. Aurora is currently licensed as an electric broker in the following jurisdictions: Illinois, Maine, Maryland, Massachusetts, Pennsylvania, and Ohio. The Company is also licensed as a natural gas broker, agent, or marketer in Ohio, Maine, Pennsylvania, Maryland, and Massachusetts. An application to broker electricity is pending in the District of Columbia and an application to broker natural gas is pending in the State of Georgia.

The Application included a summary of experience and qualifications for its officers. Mitchell Ingerman is the President of Aurora and has held this position since 2007. Mr. Ingerman possesses nearly 34 years of managerial experience and approximately 12 years of experience in the energy sector. Joseph Weitz is the Director of Energy Management and had held this position since December 2010, following an internship with the Company from January 2009 through December 2010.

Surety Bond

The Company did not post a surety bond because there are no service agreements between the Company and any Delaware Electric Distribution Company.

Verification of Application

The Application and subsequent filings to the Application contained a signed sworn verification of application with the signature of Mitchell Ingerman.

Consent to Jurisdiction

The Company consents to the jurisdiction of the Delaware courts.

Contracts

The Company has not submitted copies of customer contracts because it will operate as a broker. The Company is not serving residential or small commercial customers and did not submit any marketing materials.

Statement of Criminal Activity

The Applicant stated that it has not been charged or convicted of any criminal activity nor have any of its principals or corporation offices. An internet review of the Company and its principals did not return any incidents of criminal activity.

Legal Review

Staff submitted this Memo for review by the Attorney on March 19, 2019.

Staff Recommendation

Based on Staff's review and analysis of the Application, the Company has satisfied the requirements of the Act and the Supplier Rules. The completed Application supports the Company's request for certification. Staff's review and analysis of the Application demonstrates substantial evidence of capability to render service based on the Company's financial, operational, managerial and technical abilities. Therefore, Staff recommends the Commission approve the Application.